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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

PIOTR JASZCZYSZYN, Individually and on)	Case No. 3:22-cv-00956-AMO
Behalf of All Others Similarly Situated,)	
)	
Plaintiff,)	STIPULATION AND ORDER TO
)	VACATE DEADLINE FOR JOINT
v.)	CASE MANAGEMENT
)	STATEMENT
SUNPOWER CORPORATION, PETER)	
FARICY, and MANAVENDRA S. SIAL,)	
)	
Defendants.)	

1 WHEREAS, on February 16, 2022, plaintiff Piotr Jaszczyszyn commenced the above-
2 captioned action against defendants SunPower Corporation, Peter Faricy, and Manavendra S. Sial
3 (collectively, “Defendants”), alleging violations of Sections 10(b) and 20(a) of the Securities
4 Exchange Act of 1934, as amended by the Private Securities Litigation Reform Act of 1995 (the
5 “PSLRA”) (ECF No. 1);

6 WHEREAS, on February 18, 2022, the Court issued an Order scheduling an Initial Case
7 Management Conference for May 17, 2022 before the Honorable Haywood S. Gilliam, Jr., and
8 setting a deadline of May 10, 2022 for a Case Management Statement pursuant to Northern District
9 of California Civil Local Rule 16-9 (ECF No. 10);

10 WHEREAS, on February 23, 2022, Plaintiff Jaszczyszyn and Defendants filed a
11 Stipulation and Proposed Order requesting that the Court vacate the Initial Case Management
12 Conference set for May 17, 2022 and all other discovery-related deadlines, given that Plaintiff
13 Jaszczyszyn and Defendants anticipated that the party appointed lead plaintiff would file an
14 amended complaint and Defendants would file a motion to dismiss (ECF No. 12);

15 WHEREAS, on February 24, 2022, the Court issued an Order granting the parties’
16 February 23, 2022 Stipulation and vacating the Initial Case Management Conference set for May
17 17, 2022, and also vacating all other discovery-related deadlines until after the Court has an
18 opportunity to rule on Defendants’ motion to dismiss (ECF No. 13);

19 WHEREAS, on October 13, 2022, the Court appointed Steamfitters Local 449 Pension
20 & Retirement Security Funds as lead plaintiff (“Lead Plaintiff”, together with Defendants,
21 “Parties”) (ECF No. 49) and Lead Plaintiff filed an amended complaint on December 15, 2022
22 (ECF No. 55);

23 WHEREAS, on October 13, 2022, the Court set an Initial Case Management Conference
24 for November 22, 2022, and ordered that a Case Management Statement be submitted by
25 November 15, 2022 (ECF No. 49);

26 WHEREAS, on October 28, 2022, the Court entered the Parties’ Stipulation (ECF No. 52),
27 and issued an Order setting a briefing schedule and vacating the Initial Case Management
28

1 Conference set for November 22, 2022 and all associated deadlines, including the deadline that a
2 Case Management Statement be submitted by November 15, 2022 (ECF No. 53);

3 WHEREAS, Defendants filed a motion to dismiss Lead Plaintiff's amended complaint on
4 February 24, 2023 (ECF No. 63), Lead Plaintiff filed an opposition to Defendants' motion on April
5 21, 2023 (ECF No. 67), and Defendants will file a reply in support of their motion by June 12,
6 2023;

7 WHEREAS, on May 10, 2023, the Court issued a Revised Order reassigning the case to
8 the Honorable Araceli Martinez-Olguin, stating that all Case Management Conference dates were
9 vacated and would be reset by the Court, and setting a Joint Case Management Statement deadline
10 of May 31, 2023 pursuant to Northern District of California Civil Local Rule 16-9 (ECF No. 69);

11 WHEREAS, the hearing on Defendants' motion to dismiss is currently scheduled for July
12 20, 2023;

13 WHEREAS, the PSLRA provides that discovery shall be stayed during the pendency of
14 any motion to dismiss, 15 U.S.C. § 78u-4(b)(3)(B); and

15 WHEREAS, the undersigned parties respectfully submit that, because the motion to
16 dismiss is pending before this Court, and in light of the PSLRA's discovery stay, good cause exists
17 to vacate the May 31, 2023 deadline for submitting a Joint Case Management Statement and all
18 other discovery-related deadlines (including any case management conference) until after the
19 Court has an opportunity to rule on Defendants' motion to dismiss.

20 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned,
21 subject to approval of this Court, that the deadline of May 31, 2023 for submitting a Joint Case
22 Management Statement is vacated and shall be reset after the Court has an opportunity to rule on
23 Defendants' motion to dismiss. Any case management conference shall not be reset until after the
24 Court has had an opportunity to rule on Defendants' motion. All other discovery-related deadlines
25 are also vacated until after the Court has had an opportunity to rule on Defendants' motion.

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1 Dated: May 25, 2023

Respectfully submitted,

2
3 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

4 By: /s/ Katherine L. Henderson
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8 *Attorneys for Defendants SunPower Corporation,*
9 *Peter Faricy, and Manavendra S. Sial*

10 Dated: May 25, 2023

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16 *Attorneys for Lead Plaintiff Steamfitters Local 449*
17 *Pension & Retirement Security Funds*

Pursuant to Civil L.R. 5-1(i)(3), all signatories concur in filing this stipulation.

Dated: May 25, 2023

/s/ Katherine L. Henderson

Katherine L. Henderson

* * *

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____, 2023

HONORABLE ARACELI MARTÍNEZ-OLGUÍN

United States District Judge